IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application No.1720 of 2007
In
Writ Petition No.4303 of 2003 (Pending)

(Akola Zilla Sahakari Sakhar Karkhana Ltd., v. Assistant Provident Funds Commissioner, Nagpur, and others)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	**Court's or Judge's orders**

Shri S.S. Ghate, Advocate for Applicant/Respondent No.3.
Shri J.S. Mokadam, Advocate for Petitioner.
Ms U.R. Tanna, Advocate for Respondent No.1.

Coram : R.C. Chavan, J.
Dated : 17th August, 2007

1. By this application, respondent No.3 in Writ Petition No.4303 of 2003 seeks review of order passed on 7-11-2006 on Civil Application No.8063 of 2005, whereby the applicant-respondent No.3 had sought vacation of stay granted by this Court on 6-11-2003.

2. While disposing of Civil Application No.8063 of 2005, this Court directed that if respondent No.3 has cleared the provident fund dues to the tune of Rs.4,73,450/-, then the interim order would not continue. The dues sought to be recovered by the Assistant Provident Fund Commissioner are in respect of the employees of respondent No.3. Therefore,

respondent No.3 cannot obviously seek vacation of stay, while at the same time refusing to clear the dues in respect of its employees.

3. The civil application is, therefore, rejected, since the order under review does not show that it has been passed overlooking any legal provision or suffers from any error.

JUDGE.

Pdl.